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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/812,209 | 03/29/2004 | Benoit M. Reiss | 02-4-194 | 1399 |
| 7590 | 08/25/2004 | | EXAMINER | |
| OSRAM SYLVANIA Inc. 100 Endicott Street Danvers, MA 01923 | | | LEE, Y MY QUACH | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2875 | |

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|-------------------------|------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/812,209 | REISS, BENOIT M. |
| | Examiner Y Quach Lee | Art Unit 2875 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 29 March 2004.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-13 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1,2,11 and 12 is/are rejected.
 7) Claim(s) 3-10 and 13 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 29 March 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the reference sign (28) as mentioned on second to the last line of page 2 in the description. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the feature of “the light guide including one or more light directing elements offset from the dome in the direction transverse to the axis to redirect the second portion of light transversely ...” as claimed in claim 1, and the feature of “the right side light guide including light directing elements to redirect the receive light generally in the forward direction, the left side light guide including light directing elements to redirect the received light generally in the forward direction” as claimed in claim 13 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claims 2, 7 to 10, 12 and 13 are objected to because of the following informalities: In claim 2, line 1, the term “the” should be inserted before the term “lightguide”. In claim 7, the language “dome includes ...” is inaccurate and should be changed to --the refractive elements include--. Note the dome having refractive elements on line 5 of claim 1. In claim 8, there is no proper antecedent basis for “the interior”. It should be changed to --an interior--. In claim 9, line 3, the degrees “60” is inaccurate and should be changed to --30--. In view of drawing figure 2, the Fresnel bands (24) extend from the intersection of the axis of the dome (90 degrees) down along the dome surface to a point having an angle of 30 degrees (first region 26). In claim 9, line 4, there frame of reference for “the **preferred** location of the LED” has not been defined. In claim 10, line 3, there is no clear antecedent basis for “the plane”. It should be changed to --a

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plane--. In claim 12, there is a typographical error such as the term "for". It should be changed to --from--. In claim 13, line 3, the term "an" is improper and should be changed to --a-- in view of the following term "centrally"; line 6, there is a typographical error such as the term "form" and should be changed to --from--; line 6, the reference numeral "24" should be deleted; line 8, there is no clear antecedent basis for "the interior of the surface". It should be changed to --an interior surface--. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuo.

Kuo discloses a light transmissive dome (figure 4) defining a cavity (60) having an axis extending in a forward direction, the cavity having sufficient volume to enclose a light source (2), the dome having refractive elements (51 to 55) directing a first portion of the light emitted from the light source in a direction generally parallel to the forward direction (figure 3A, the arrow lines) and otherwise towards a field to be illuminated, at least one light guide (6, the left light guide) positioned adjacent the dome to receive a second portion of the light emitted from the light source (paragraph 0024, lines 2 to 4), the light guide having the form of a plate extending transversely to the axis and including one or more light directing elements (63, 64, 66, 67) offset from the dome in the direction transverse to the axis to redirect the second portion of light transversely generally parallel to the forward direction (figure 3A, the arrow line) and otherwise to the field to be illuminated, the plate having approximately parallel rear wall (the wall adjacent to the element 65) and forward wall (62) and one or more side wall (68) with the dome and the light guide in a single mechanically unit (figure 4), and a second light guide (6, the right light guide) extending from the dome diametrically away from the first light guide (the left light guide). Note that it is known that incandescent, fluorescent, halogen and light emitting diode light sources are interchangeable and can also be used in combination. It would have been

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obvious to one skilled in the art to use the light emitting diode light sources in place of the light source of Kuo to not only enhance reliability and longevity of the light source but also to reduce power consumption.

6. Claims 3 to 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claims 7 to 10 would be allowable if rewritten to overcome the objection set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

8. Claim 13 would be allowable if rewritten or amended to overcome the objection set forth in this Office action.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wiese, Nagel, Harris and Churchill are cited to show other pertinent unitary lens and light guide and unitary lens system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y Quach Lee whose telephone number is 571-272-2373. The examiner can normally be reached on Tuesday and Thursday from 8:30 am to 4:30 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is 571-272-2815.

Y. Q.
August 17, 2004


Y Quach Lee
Patent Examiner
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